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11 **OFFICE OF COUNTY COUNSEL**

12 **COUNTY OF BUTTE**

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19 Attorneys for Defendants
20 BUTTE COUNTY DEFENDANTS

21 **UNITED STATES DISTRICT COURT**
22 **EASTERN DISTRICT OF CALIFORNIA**

23 CANNON HUGH DANIELS, deceased;
24 decedent's wife, ARIELE ROSTAMO aka
25 ARIELE NELSON; decedent's mother,
SUSAN ADELL DANIELS; and decedent's
father, JOSEPH ALBERT DANIELS, IV,
individually,

26 Case No.: 2:21-cv-0277 JAM-JDP

27 **AMENDED STIPULATION AND ORDER FOR**
28 **CONTINUING TRIAL AND DEADLINES**

29 Plaintiff,

30 vs.

31 CALIFORNIA FORENSIC MEDICAL
32 GROUP, INC., WELLPATH
33 MANAGEMENT, INC., BUTTE COUNTY,
34 S. Parker, D. Brownfield, Sergeant Turner,
35 Sergeant Behlke, Deputy Darnell, Deputy
36 Smith, Deputy Yee, Deputy Bazan, Deputy
37 Thornton, Sergeant Mell, Deputy Lazurenko,
38 Deputy LaRue, Deputy Ogden, Deputy
39 Mayfield, Deputy Davis, Deputy Tauscher and
40 Lt. Jarrod Agurkis, SACRAMENTO
41 COUNTY, Officer McKersie, Sergeant Bunn,
42 Sergeant Jenkins, Officer Rickett, Lieutenant
43 Hodgkins, Officer Gailey, Officer Tallman,
44 Officer Pomosson, and Officer Folena
45 Defendants.

46 / Complaint Filed: 02/11/2021

47 IT IS HEREBY STIPULATED by and between the parties through their counsel of record:

1. Under the current Scheduling Order (ECF No. 32), the discovery cutoff deadline was February 28,
2. 2023, only for depositions already noticed by the parties.
3. Prior to the discovery cutoff deadline, Plaintiffs' counsel noticed the depositions of several witnesses,
4. which were scheduled to take place before discovery closed.
5. On or about February 20, 2023, Plaintiffs' counsel Dennis Hill ("Mr. Hill") emailed the parties
6. indicating one deposition would need to be rescheduled due to the illness of Plaintiffs' counsel
7. Andrew Bakos ("Mr. Bakos"), who was to take the deposition. On or about February 22, 2023, Mr.
8. Hill emailed again, indicating Mr. Bakos was very ill, possibly with pneumonia, and that the
9. depositions presently on calendar would have to be rescheduled for March 2023, after the present
10. discovery deadline.
11. Counsel for the County of Butte noted the upcoming discovery deadline and indicated they are willing
12. to continue the deadline to allow the remaining depositions, if the remaining deadlines in the case are
13. also extended. Counsel for the County of Butte explained that they plan to file a motion for summary
14. judgment in this matter and potentially will need to use the testimony from those depositions to
15. support the motion.
16. Given Mr. Bakos' unforeseen illness and the delay it has caused in completing discovery before the
17. discovery deadline, the parties stipulated to amend the scheduling order and extend the deadlines.
18. The parties have agreed to the extend the current deadlines as follows, subject to the Court's
19. availability and approval:

IT IS SO STIPULATED.

	Current Deadline	Proposed New Deadline
Joint Mid-Litigation Statement	February 14, 2023	April 7, 2023
Discovery Cutoff, for depositions already noticed	February 28, 2023	April 21, 2023
Dispositive Motion Filing Deadline	March 27, 2023	June 23, 2023
Dispositive Motion Hearing	June 6, 2023, at 1:00 p.m.	August 22, 2023, at 1:30 p.m.
Final Pretrial Conference	July 28, 2023, at 10:00 a.m.	November 17, 2023, at 10:00 a.m.
Trial	September 11, 2023, at 9:00 a.m.	January 8, 2024, at 9:00 a.m.

1 Date: March 14, 2023

PORTER | SCOTT
A PROFESSIONAL CORPORATION

3
4 By /S/ Alison J. Southard
William E. Camy
5 Alison J. Southard
6 Attorneys for Butte County Defendants

7 Date: March 13, 2023

LAW OFFICES OF JEROME M. VARANINI

9
10 By /S/ Jerome M. Varanini (As approved on 3.13.23)
11 Jerome M. Varanini
12 Attorney for Defendants CALIFORNIA
13 FORENSIC MEDICAL GROUP, INC., and
14 WELLPATH MANAGEMENT, INC

15 Date: March 14, 2023

ANDREW E. BAKOS & ASSOCIATES, P.C.

16
17 By /S/ Dennis Hill on behalf of Andrew Bakos (As approved on 3.14.23)
18 Andrew Bakos
19 Attorney for Plaintiffs

20 Date: March 14, 2023

D.B. HILL, A PROFESSIONAL LAW CORPORATION

21
22 By /S/ Dennis B. Hill (As approved on 3.14.23)
23 Dennis B. Hill
24 Attorney for Plaintiffs

ORDER

Pursuant to the stipulation of the parties, and good cause appearing therefore, **IT IS HEREBY ORDERED** as follows:

1. The present Scheduling Order is Amended to read as follows:
 - a. Discovery Cutoff, for depositions already noticed: **April 21, 2023**.
 - b. Dispositive Motion filing: **June 23, 2023**.
 - c. Dispositive Motion Hearing: **August 22, 2023, at 01:30 p.m.**
 - d. Joint-Mid Litigation Statement Filing: Fourteen (14) days before close of discovery (April 7, 2023).
 - e. Final Pre-Trial Conference: **November 17, 2023, at 10:00 a.m.**
 - f. Jury Trial: **January 8, 2024, at 9:00 a.m.**

IT IS SO ORDERED.

Dated: March 16, 2023

/s/ John A. Mendez

THE HONORABLE JOHN A. MENDEZ
SENIOR UNITED STATES DISTRICT JUDGE